APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,715	04/12/2007	Eileen Chu Hing	ZIO005-219015	5813

86601   7590   08/11/2011
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EXAMINER
BROWN, CHRISTOPHER J

ART UNIT	PAPER NUMBER
2439	

MAIL DATE	DELIVERY MODE
08/11/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/553,715	HING, EILEEN CHU
	Examiner	Art Unit	
	CHRISTOPHER BROWN	2439	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>18 May 2011</u>.

2a) ☐ This action is **FINAL.**   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-7 and 10-13</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-7 and 10-13</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Response to Arguments

Applicant's arguments filed have been fully considered but they are not persuasive.

Applicant argues that Weinberg does not teach executable webscripts. Examiner argues

that the webscripts are executable, as the webscripts are part of a scenario that is executable (Col

6 lines 34-46) Weinberg also teaches the scripts are "run" (Column 32 lines 45-50).

Applicant has argued persuasively that Foo is not prior art, however, Foo is based on a

prior international document. This document is now incorporated into the rejection.

USC 101 was not overcome because of new standards set forth by the USPTO.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
requirements of this title.

The claimed invention is directed to non-statutory subject matter. Claims 1-13 are rejected

because they may be interpreted as being comprised completely of software. A claim is

considered to be patentable only if it is tied to a specific machine. Claims may be amended to

overcome this rejection by inclusion of a hardware processor, or "computer readable device" or

"non-transient computer readable storage medium"

<div align="center">

Claim Rejections - 35 USC § 103

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1, 2, 4-6, 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Keys US 2001/0050681 in view of Weinberg US 6,549,944

As per claim 1, Keys teaches A computer-implemented system (19) used in conjunction with an

application service provider (ASP) (21) and an existing client database, the system comprising: a

user information database (23) derived from the client database; a messaging and collaboration

system operatively associated with the user information database; at least one template (29)

configured to be populated by the messaging and collaboration system. [0012], [0024]. [0027],

[0051].

Weinberg teaches at least one agent operatively associated with the messaging and collaboration

system for generating (25) web scripts independently of the existing client database and from

access to the template and the user information database in response to a user request (Col 3
lines 5-15, Col 23 lines 15-33).

It would have been obvious to use the scripts of Weinberg with the document system of Keys
because it is a well known method for executable web interaction with a user.

As per claim 2. a data structure (31) associated with the template, the data structure being
populated to optimize the generation of additional web scripts [0012] [0027].

As per claim 4, 11. Keys teaches a status module (87) programmed to generate an email with
status information and direct said email to one of the user and the ASP; and a payment module
for generating invoices to the user in response user access to the system [0056] [0060].

As per claim 5, 12 Keys teaches programming (95) to update the client database with data
inputted by the user [0051].

As per claim 6, 13 Keys teaches A method for processing information received from a user of an
application, the method comprising the steps of: providing a computer-implemented system (19)
used in conjunction with an application service provider (ASP) (21) and an existing client
database, the system comprising a user information database (23) derived from the client
database, a messaging and collaboration system operatively associated with the user information
database, at least one template (29) configured to be populated by the messaging and

collaboration system, and at least one agent operatively associated with the messaging and

collaboration system for generating [0012], [0024] [0027], [0051] [0052].

Weinberg teaches web scripts independently of the existing client database and from access to

the template and the user information database in response to a user request; receiving a user-

initiated request for information to be processed by the application; displaying a form generated

by a web script in response to the user-initiated request; and accessing the client information

database either in response to the user-initiated request or in response to an input of data on the

form request (Col 3 lines 5-15, Col 23 lines 15-33).

It would have been obvious to use the scripts of Weinberg with the document system of Keys

because it is a well known method for executable web interaction with a user.

      Claims 3, 7, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Keys

US 2001/0050681 in view of Weinberg US 6,549,944 in view of Foo WO 03/015055

As per claim 3, 10. Keys teaches a programming module (81) for executing the web scripts, a

communications module (83) for communicating inputted data from the programming module

(81) to a client mail server (49); suitable programming for processing the inputted data

independently of the programming module (81), [0012], [0024]. [0027], [0051].

Keys fails to teach encryption.

Foo teaches the module having subroutines for encrypting data entered by the user;

the suitable programming including a decryption routine, (pages 26-34)

It would have been obvious to one of ordinary skill in the art to use the encryption of Foo with

the system of Keys because it increases network communication.

As per claim 7. Keys teaches data inputted by the user prior to transmission; transmitting the

inputted data to both the client and the ASP; and generating a status update accessible to the user.

[0056] [0060].

Foo teaches encryption (pages 26-34).

It would have been obvious to one of ordinary skill in the art to use the encryption of Foo with

the system of Keys because it increases network communication.

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to CHRISTOPHER J. BROWN whose telephone number is

(571)272-3833. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edan Orgad can be reached on (571)272-7884. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher J Brown/   8/9/11
Primary Examiner, Art Unit 2439